

United States District Court

for

RECEIVED**Middle District of Alabama**

2006 OCT 13 P 2:35

**Petition for Warrant/Summons and Report for Defendant
Under Pretrial Release Supervision**LEON P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

Name of Defendant: ERIC JONATHAN O'REE

Case Number: 2:06cr59-MHT

Name of Releasing Judicial Officer: The Honorable Delores R. Boyd, U.S. Magistrate Judge

Date of Release: March 8, 2006

Original Offense: Bank Fraud [18 U.S.C. 1344 and 2]

Type of Release: \$25,000 Unsecured Appearance Bond

Date of Next Court Appearance: November 1, 2006 (Sentencing)

Conditions of Release: Maintain or actively seek employment; No firearms; Refrain from use or unlawful possession of narcotic drug; substance abuse testing; Refrain from attempting to obstruct or tamper with electronic monitoring equipment and/or substance abuse testing; Participate in program of inpatient or outpatient substance abuse treatment if deemed necessary; Report as soon as possible any contact with law enforcement; Refrain from possessing any type of drug paraphernalia; Refrain from excessive use of alcohol; No new debt.

Assistant U.S. Attorney: Kent B. BrunsonDefense Attorney: Timothy Charles Halstrom**PETITIONING THE COURT**

- [X] To issue a warrant
[] To issue a summons

The probation officer believes that the defendant has violated the following condition(s) of release:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
Condition No. (p): "Refrain from any use or unlawful possession of narcotic drug and other controlled substances..."	On September 19, 2006, O'Ree submitted a urine sample that tested presumptive positive for marijuana. O'Ree denied usage and sample was sent to the laboratory for confirmation. On September 25, 2006, the laboratory confirmed that the urine tested positive for marijuana.
Condition No. (q): "Submit to any method of testing required by the pretrial services officer or the supervising officer for determining whether the defendant is using a prohibited substance."	On October 4, 2006, Eric O'Ree failed to appear for a scheduled urinalysis test.

Supervision history of defendant and actions taken by officer: The defendant has been under supervision since March 8, 2006. Since then he has tested positive once for controlled substances. On May 22, 2006, the court was notified of the violation and advised that the defendant was reprimanded and the probation officer requested no further action since O'Ree was scheduled to begin inpatient substance abuse treatment. On May 24, 2006, O'Ree was enrolled in a 28 day inpatient substance abuse treatment program. He completed the program on June 21, 2006. Subsequent to completing the inpatient portion of his treatment, he was required to complete his aftercare treatment which consisted of several counseling sessions at night. O'Ree's attendance to treatment has been sporadic and as a result, his schedule was extended in order for him to complete treatment with the necessary number of sessions.

U.S. Probation Officer Recommendation: Considering O'Ree's prior use of controlled substance and his denial of his current use along with his failure to report for a scheduled urinalysis and scheduled treatment sessions, it is respectfully recommended that a warrant be issued and O'Ree be brought before the court to determine why his bond should not be revoked.


☒ The term of supervision should be:
☒ revoked.

☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct

Respectfully submitted,

by


David A. Conoly
U.S. Probation Officer
Date: October 11, 2006

Reviewed and approved:



Sandra Wood
Supervisory U. S. Probation Officer

THE COURT ORDERS:

- ☐ No Action
☐ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other

Signature of Judicial Officer

Date